IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Application No.8322 of 2005
With
Criminal Application No.8321 of 2005

Irshaad Hussain Siddique Appellant

Vs.

State of Maharashtra & ors. Respondents

Mr.Pradeep Rajput h/f.Ms.Anjali Patil for appellant.
Mr.D.S.Mhaispurkar, APP for State.

CORAM: B.H.MARLAPALLE & SMT.R.S.DALVI,JJ.

February 08, 2006.

P.C.

. Mr.Mhaispurkar, the learned APP on instructions from the Department of Law and Judiciary, Government of Maharashtra states that no appeal is going to be filed against the order of acquittal passed by the learned 6th Ad-hoc Addl. Sessions Judge, Sewree in Sessions Case No.180 of 2005 and, therefore, the original complainant, who is the present applicant before us, cannot invoke the remedy of filing appeal under Section 378 of Cr.P.C.

. The learned counsel for the applicant, therefore, seeks leave to withdraw this application as well as Criminal Application No.8321 of 2005 with liberty to file a criminal revision application under

Section 397 of Cr.P.C. Leave granted and the applications are disposed as withdrawn with liberty as is available in law.

(SMT.R.S.DALVI,J.) (B.H.MARLAPALLE,J.)